

made available pursuant to the authority provided in this section or under any other provision of law for the purposes of the programs under subsection (a).

SEC. 9008. Amounts provided in this title for operations in Iraq and Afghanistan may be used by the Department of Defense for the purchase of heavy and light armored vehicles for force protection purposes, notwithstanding price or other limitations specified elsewhere in this Act, or any other provision of law: Provided, That the Secretary of Defense shall submit a report in writing no later than 30 days after the end of each fiscal quarter notifying the congressional defense committees of any purchase described in this section, including the cost, purposes, and quantities of vehicles purchased.

SEC. 9009. During the current fiscal year, funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Iraq and Afghanistan: Provided, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9010. (a) Not later than 60 days after the date of the enactment of this Act and every 90 days thereafter through the end of fiscal year 2006, the Secretary of Defense shall set forth in a report to Congress a comprehensive set of performance indicators and measures for progress toward military and political stability in Iraq.

(b) The report shall include performance standards and goals for security, economic, and security force training objectives in Iraq together with a notional timetable for achieving these goals.

(c) In specific, the report requires, at a minimum, the following:

(1) With respect to stability and security in Iraq, the following:

(A) Key measures of political stability, including the important political milestones that must be achieved over the next several years.

(B) The primary indicators of a stable security environment in Iraq, such as number of engagements per day, numbers of trained Iraqi forces, and trends relating to numbers and types of ethnic and religious-based hostile encounters.

(C) An assessment of the estimated strength of the insurgency in Iraq and the extent to which it is composed of non-Iraqi fighters.

(D) A description of all militias operating in Iraq, including the number, size, equipment strength, military effectiveness, sources of support, legal status, and efforts to disarm or reintegrate each militia.

(E) Key indicators of economic activity that should be considered the most important for determining the prospects of stability in Iraq, including—

(i) unemployment levels;

(ii) electricity, water, and oil production rates; and

(iii) hunger and poverty levels.

(F) The criteria the Administration will use to determine when it is safe to begin withdrawing United States forces from Iraq.

(2) With respect to the training and performance of security forces in Iraq, the following:

(A) The training provided Iraqi military and other Ministry of Defense forces and the equipment used by such forces.

(B) Key criteria for assessing the capabilities and readiness of the Iraqi military and other Ministry of Defense forces, goals for achieving certain capability and readiness levels (as well as for recruiting, training, and equipping these forces), and the milestones and notional timetable for achieving these goals.

(C) The operational readiness status of the Iraqi military forces, including the type, number, size, and organizational structure of Iraqi battalions that are—

(i) capable of conducting counterinsurgency operations independently;

(ii) capable of conducting counterinsurgency operations with the support of United States or coalition forces; or

(iii) not ready to conduct counterinsurgency operations.

(D) The rates of absenteeism in the Iraqi military forces and the extent to which insurgents have infiltrated such forces.

(E) The training provided Iraqi police and other Ministry of Interior forces and the equipment used by such forces.

(F) Key criteria for assessing the capabilities and readiness of the Iraqi police and other Ministry of Interior forces, goals for achieving certain capability and readiness levels (as well as for recruiting, training, and equipping), and the milestones and notional timetable for achieving these goals, including—

(i) the number of police recruits that have received classroom training and the duration of such instruction;

(ii) the number of veteran police officers who have received classroom instruction and the duration of such instruction;

(iii) the number of police candidates screened by the Iraqi Police Screening Service, the number of candidates derived from other entry procedures, and the success rates of those groups of candidates;

(iv) the number of Iraqi police forces who have received field training by international police trainers and the duration of such instruction; and

(v) attrition rates and measures of absenteeism and infiltration by insurgents.

(G) The estimated total number of Iraqi battalions needed for the Iraqi security forces to perform duties now being undertaken by coalition forces, including defending the borders of Iraq and providing adequate levels of law and order throughout Iraq.

(H) The effectiveness of the Iraqi military and police officer cadres and the chain of command.

(I) The number of United States and coalition advisors needed to support the Iraqi security forces and associated ministries.

(J) An assessment, in a classified annex if necessary, of United States military requirements, including planned force rotations, through the end of calendar year 2006.

SEC. 9011. Congress, consistent with international and United States law, reaffirms that torture of prisoners of war and detainees is illegal and does not reflect the policies of the United States Government or the values of the people of the United States.

SEC. 9012. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, and executed in direct support of the Global War on Terrorism only in Iraq and Afghanistan, may be obligated at the time a construction contract is awarded: Provided, That for the purpose of this section, supervision and administration costs include all in-house Government cost.

SEC. 9013. Amounts appropriated or otherwise made available in this title are designated as making appropriations for contingency operations related to the global war on terrorism pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

This Act may be cited as the "Department of Defense Appropriations Act, 2006".

Mr. STEVENS. I move to reconsider the vote.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. If I may have a moment, I thank our staff for their dedication and hard work putting this bill together. I point out to the Senate the

people I am going to name are our staff. They work with both Senator INOUE and me. We work as a seamless team in the subcommittee: Sid Ashworth, Charlie Houy, Lesley Kalan, Brian Wilson, Brian Potts, Kate Kaufer, Mark Hoaland, Alycia Farrell, Katy Hagan, Betsy Schmid, Nicole DiResta, Mazie Mattson, Janelle Treon, Kate Fitzgerald, Jennifer Chartrand.

Let me recognize a very dedicated, wonderful staff person of our subcommittee, Mazie Mattson, who is now going to retire after 25 years of working for Congress. This is Mazie's final Defense bill. We are extremely grateful to her for her sincere loyalty and tireless efforts and very gracious support she provided to each and every one of us on both sides of the aisle on our subcommittee. She will be greatly missed. We wish her family and her husband, Bill, all the best. We thank you very much, Mazie. Thank you very much.

The PRESIDING OFFICER (Mr. ISAKSON). The majority leader.

Mr. FRIST. Mr. President, I ask unanimous consent the Senate insist on its amendment, request a conference with the House, and the Chair be authorized to appoint conferees.

The PRESIDING OFFICER. Without objection it is so ordered.

The PRESIDING OFFICER appointed Mr. STEVENS, Mr. COCHRAN, Mr. SPECTER, Mr. DOMENICI, Mr. BOND, Mr. MCCONNELL, Mr. SHELBY, Mr. GREGG, Mrs. HUTCHISON, Mr. BURNS, Mr. INOUE, Mr. BYRD, Mr. LEAHY, Mr. HARKIN, Mr. DORGAN, Mr. DURBIN, Mr. REID, Mrs. FEINSTEIN, and Ms. MIKULSKI conferees on the part of the Senate.

#### DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2006—CONFERENCE REPORT

Mr. FRIST. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of the conference report to accompany H.R. 2360, the Homeland Security appropriations bill. I further ask consent that there be 30 minutes of debate equally divided, and following the use or yielding back of time, the Senate proceed to a vote on adoption of the conference report, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2360) "making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes," having met, have agreed that the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, and the Senate agree to the same, signed by a majority of conferees on the part of both Houses.

The PRESIDING OFFICER. Without objection, the Senate will proceed to

the consideration of the conference report.

The Senate proceeded to consider the conference report.

(The conference report is printed in the House proceedings of the RECORD of September 20, 2005.)

Mr. FRIST. Mr. President, for the information of colleagues, we expect this vote to be a voice vote. There will be no more rollcall votes today.

I yield the floor.

Mr. GREGG. Mr. President, in the Senate this year, we have considered this homeland security bill during two very different times of crisis. When the bill was on the floor of the Senate in July, the reprehensible train bombings in London had just occurred and there was a desire to increase funding for rail security. Now, we consider this conference report during the immediate aftershock of two damaging hurricanes in the gulf coast, which demolished entire cities and towns. And there has been a call and an urgency to provide Federal financial help. We have met that call through significant—very significant—supplemental emergency funds. While these funds need to be monitored to make sure they are spent wisely and prudently, it is appropriate to help get the people in these areas back on their feet. And it is important to remember that this is an emergency, and emergency needs are being addressed through tens of billions of dollars that have been approved.

The conference report we are considering today addresses the Department of Homeland Security as a whole. It is an amalgamation of 22 Federal agencies and it encompasses the broad spectrum of homeland security needs. But first and foremost, the Department must be focused on the national security of our country.

The conference report before us builds on that. It is threat-based and provides total appropriations of \$31.9 billion for the Department of Homeland Security, directly focusing on two of the most vulnerable areas of our homeland security: weapons of mass destruction and border security.

As a country, we pride ourselves on being an open and democratic society that affords tremendous freedoms to its citizens. Unfortunately, there are terrorists who wish to prey on that trust and openness and to harm and kill massive numbers of innocent civilians to attack our way of life. There is absolutely no question that if a terrorist gets control of a weapon of mass destruction, be it biological, nuclear, or radiological, it will be used against us and against the fundamentals of Western civilization. This conference report provides over \$2.4 billion for WMD and terrorism prevention and preparedness, including funds to assist State and local jurisdictions.

Similarly, because we seek to participate in an open and vibrant world, our borders are incredibly porous and access into this country is easy. Regrettably, that openness is now a

threat to us. We do not have a handle on who and what crosses into our country everyday. This conference report provides \$9 billion, which funds 1,000 new border patrol agents, 250 new investigators, 460 new detention personnel, and the necessary infrastructure and training capacity to support a vast improvement in our border security.

I want to particularly single out the coast guard for the outstanding job they have done in the gulf coast States. They exemplify a working agency—one that does its job without fanfare and complaint, and which produces tremendous results in the number of lives that were saved rescuing over 33,520 people—as many as they have over the past 8 years—stranded by Hurricane Katrina. Their superior work day in and day out is well recognized. This conference report provides a total of \$7.86 billion for the Coast Guard for fiscal year 2006.

As clearly as we saw the top performance of the Coast Guard during Katrina, the problems in FEMA continue to be highlighted. And this Committee intends to conduct an in depth analysis of the Department and this agency. At this time, putting more money in this bill, on top of the \$60 billion in emergency funds already provided and the funds that will soon be coming in the next supplemental, is not the solution.

I continue to also be concerned about the vast amount of unspent funds in the Department, particularly the \$6.2 billion in unspent funds for State and local grants. For that reason, this bill limits funding in those areas. As a part of the National Preparedness Goal, State and local jurisdictions are undertaking a review of their essential capabilities, to determine what has been accomplished with the funds provided so far. The results of this analysis will be used to inform future funding decisions.

Interoperable communications remains a significant priority. One of the hurdles facing communities attempting to achieve this goal is that not all of the technical standards, known as Project 25, are finished. Some standards continue under development.

Overall, this conference report represents a responsible and targeted approach to homeland security funding. Were we able to fully meet every need? No, given fiscal constraints, we focused our limited resources on eliminating the most serious and detrimental vulnerabilities of our homeland security. And we have made a significant accomplishment in beginning to address the major threats facing our national security as a whole. This conference report demonstrates our strong commitment to shoring up our national security, making the Department of Homeland Security a better agency with a more coordinated and cohesive approach, and ensuring we are focused on the emerging threats of today rather than on yesterday's problems.

The PRESIDING OFFICER. Who yields time on the conference report?

The Senator from West Virginia.

Mr. BYRD. Mr. President, I yield myself such time as I may consume.

Mr. President, I thank Chairman JUDD GREGG, the House Chairman HAROLD ROGERS, Representatives MARTIN SABO, Representative DAVE OBEY, and all of the House and Senate conferees for their hard work on the Homeland Security appropriations conference report.

I also commend the thousands of men and women who are on the front lines of Homeland Security. God bless them. I thank them. While I remain very concerned that we are not giving these men and women the tools they need to do their job, that in no way detracts from their commitment to serve the Nation.

The conference agreement that is before the Senate sends a strong signal to the Department that it needs to move in a new direction. The Department needs to be nimble and responsive, not bureaucratic and slow. It needs to target limited resources on future threats, not simply the threats posed by the attacks of September 11.

The conference agreement includes numerous improvements to the President's budget, particularly with regard to border security, air cargo security, improved screening of airline passengers for explosives, funds to hire firefighters, as well as funding to protect the all-hazards Emergency Management Performance Grant Program.

The conference agreement builds on the bipartisan border security initiatives I offered along with the very able Senator, Mr. CRAIG, with Chairman GREGG's support to the 2005 emergency supplemental bill. Between the supplemental enacted in May and this bill, Congress will have increased the number of Border Patrol agents by 1,500; Congress will have increased the number of immigration investigators, agents, and detention officers by over 750; and Congress will have increased the number of detention beds by at least 1,800.

I commend all of the conferees and in particular the inimitable chairman, JUDD GREGG, for that action. The inimitable chairman. Do you hear that? The inimitable chairman, Judd Gregg. He is not here, but he will hear about it.

In addition, the agreement contains an important protection for the privacy rights of Americans. The agreement would prohibit the use of commercial databases in the implementation of Secure Flight, the Department's proposed new airline passenger profiling system. Such commercial databases are unreliable and potentially could be used to invade people's privacy.

The conference agreement provides \$30.8 billion for discretionary programs, an increase of just 4.6 percent. This is a very lean bill. The committee was put into a difficult position as a result of the administration's proposal to

have the Appropriations Committee increase the fees paid by airline passengers by \$1.68 billion. How about that?

The Appropriations Committee does not have jurisdiction—what is the matter with the White House?—the Appropriations Committee does not have jurisdiction over airline fees. The White House knows that. The Budget Office knows that. So as a result of what the White House did, the committee was forced to reduce spending on critical homeland security programs—your programs, your people's programs, your constituents' programs.

This ill-considered administration proposal—hear it—this ill-considered White House proposal resulted in real cuts—real cuts—in firefighter grants, first responder grants, Coast Guard operations, and in the number of airport screeners.

Now listen. Listen. It is regrettable that the administration's apparent lack of understanding of the legislative process—when will they learn?—their apparent lack of understanding of the legislative process will have such a direct impact on programs that are important elements of our homeland security strategy. How about that? Time and time again—time and time again—this administration has talked a good game on homeland security, but it has not followed through with a sustained commitment of resources and ideas. I fear that the administration believes that it fulfilled its commitment to securing the homeland by creating the Department of Homeland Security, which I voted against. And I am glad I voted against it. Well, America is not made safer by simply reorganizing boxes on an organizational chart.

Repeatedly, the energy, the initiative, the resources, and the leadership for homeland security have come from the Congress—the Congress. From border security to transit, rail, and port security, to air cargo security and explosives detection, the initiative—hear me—the initiative to fund these efforts came from—where?—the Congress, you, this body, the other body, the people's branch, the Congress. This conference agreement continues in that tradition, and I commend Chairman GREGG and former Chairman COCHRAN. I commend them for their excellent leadership.

However, following the terrorist attacks on 9/11, the Madrid and London train bombings, many other bombings such as those in Bali just a few days ago, and Hurricane Katrina, Congress should be approving a more robust homeland security bill. If there is one lesson we should all learn from Hurricane Katrina, it is that when you starve our Nation's infrastructure and allow our emergency response capacity to wither on the vine, there are consequences. There are consequences. There will be consequences.

In conference, I joined with Representatives OBEY and SABO in offering an amendment to provide \$1.7 billion of targeted investments for emergency

disaster planning, predisaster mitigation, grants to hire, equip, and train firefighters, and grants for transit, port, and chemical security. The amendment would also have helped the Coast Guard maintain the ships, the planes, the helicopters that they have used so effectively in evacuating over 33,000 people following Hurricane Katrina and Hurricane Rita.

The entire bill that is before us, the budget for the entire Department, is only \$30.8 billion. Now, I understand the need to live within limits, but sometimes those limits simply do not correspond to the reality that confronts us. Why not limit somewhere else? Why not limit somewhere else? How much are we giving to Iraq? How many questions do we ask, then, when we give there? We build infrastructure in Iraq. How about building it here in our country? Charity begins at home.

In the past month, we appropriated \$60 billion as an emergency for one agency that is funded by this bill, FEMA. One agency received a supplemental that is double the annual budget of the entire Department, and yet in this bill we fail to make the investments to help us avoid future \$60 billion supplemental bills.

We should be increasing predisaster mitigation efforts. What if something happens here in Washington? What if something hits Washington? There will be millions of people from Washington, Virginia, and Maryland heading—where?—heading westward, heading toward West Virginia, heading toward parts of Maryland, Pennsylvania, and Virginia. Then what? Yes, what about that? We have seen the problems created by Katrina. What if the terrorists were to hit here, and then we have this massive, massive flow of people Westward? That is what we are talking about when we talk about predisaster mitigation efforts.

My Governor, the Governor of West Virginia, the most handsome Governor in the country, Governor Joe Manchin, has proposed that there be more money—more money, that we need to prepare ahead of time, that we need to pre-position medical supplies, pre-position gasoline, pre-position other items that will be needed when and if that disaster hits here. That is what we should be increasing: predisaster mitigation efforts—not cutting them.

We should be doing the disaster planning now so that if there is a terrorist attack in a major city such as Washington, DC, that produces a mass evacuation, there will be pre-positioned food, water, fuel, and communications equipment to help the millions of affected citizens evacuate safely.

When less than 25 percent of eligible applications for firefighting grants were approved last year, should we be cutting firefighting funds by \$105 million? Why, that is sheer madness—madness. That is sheer madness. May I say to one of my favorite Senators of all time, the Senator from Vermont, JIM JEFFORDS—one of my favorite Senators—that is sheer madness.

When the Madrid and London train bombings proved that there is a real threat to our transit systems—hear me, New York City—when there is a real threat to our transit systems, should Congress be providing just \$150 million, when the estimated need is \$6 billion—\$6 billion.

When two Russian airplanes were simultaneously blown out of the sky by terrorists 1 year ago, should we be satisfied that only 18—only 18—out of the 448 commercial airports in the United States have received new checkpoint technologies to screen passengers for explosives?

Hear me. We better act in time.

I believe Chairman GREGG—the inimitable chairman, I say; he is a Republican, but he is a great chairman; I am proud of him—has put together a bill that makes significant improvements to the President's budget. I commend Chairman GREGG for those choices. However, as we move forward on a Katrina supplemental bill, I hope we will reconsider the investments contained in the amendment that was defeated—hear me—defeated in conference.

Sometimes I say, yes, sometimes you have to spend money to save money and to save lives. Let me say that again. Sometimes—sometimes, Senators; sometimes, Mr. President; sometimes, I say to the White House—you have to spend money to save money and to save lives. And you do have to spend it here in America, in this country, to save American lives.

I commend the staff—our wonderful staff, our great staff, our dedicated staff—for their contributions to this important legislation. In particular, I thank Chairman GREGG's staff: Rebecca Davies, James Hayes, Carol Cribbs, Kimberly Nelson, Shannon O'Keefe, and Avery Forbes.

And do you think I would forget my own staff? No. My own staff, I commend them: Charles Kieffer—man, he is it, he is the man, Charles Kieffer—Chip Walgren, Scott Nance, Drenan Dudley, and our Coast Guard detailee, Sean MacKenzie. What a staff.

Finally, on a personal note, I mark the recent passing of Robert M. Sempsey this past Saturday. Bob Sempsey worked for the Congressional Budget Office for nearly 25 years. He was the principal analyst for the Homeland Security and Labor-HHS-Education appropriations bills. He was a good friend. He was a fine teacher for many of our Senate staff. To his wife and three children, I extend my hand in your time of grief. Bob was a fine public servant. He will be sorely missed.

With regard to the Homeland Security conference report, I again compliment the inimitable Chairman JUDD GREGG.

I urge its adoption, and I yield the floor.

Mr. LIEBERMAN. Mr. President, it is with regret that I oppose this conference report.

I am a strong advocate of the need for the Department of Homeland Security and its work. And as the ranking

member of the Department's lead authorizing committee, I do not lightly oppose this appropriations bill for the Department's vital work. But I feel I have no choice but to protest what I consider to be dangerous and misguided cuts in the vital programs that help America's first responders.

Just weeks ago, we watched with horror as our fellow citizens in Louisiana and Mississippi suffered the ravages of Hurricane Katrina. It was inevitable that a hurricane of that size and intensity would cause hardship. But we know that the pain was far greater and the recovery far more daunting than it needed to have been if our Government had done all it could to prepare for and respond to the catastrophe. We know that preparedness planning was inadequate; that first responders lacked the equipment and communications they needed to respond; and that first responders and officials did not have the training and command structures they needed to work effectively together to help the many victims depending on them. And this for a catastrophic hurricane that had been predicted in advance. We can only speculate what preparedness and response to an unforeseen catastrophic terror attack might look like.

We know, in short, that we have very far to go before we are as ready as we must be for the threats ahead. So why are we now asked to approve dramatic cuts in the very programs that could help strengthen these essential capabilities?

This conference report would cut the three core first responder programs—the State Homeland Security Grant Program, SHSGP, the Urban Area Security Initiative, UASI, and the Law Enforcement Terrorism Prevention Program, LETPP—by 28 percent—nearly a third. The State homeland grants, which make up the backbone of most prevention and preparedness efforts, would be cut in half from fiscal year 2005 levels. And this comes on top of several years of cuts to these accounts. I know these cuts will leave unacceptable gaps in homeland security efforts in my own state of Connecticut, and I assume other States will also be unable to achieve their preparedness and response goals without more help from the Federal Government.

By contrast, the Senate voted in support of S. 21, a bill sponsored by Senator COLLINS and me, to authorize a significant increase in funding for these core first responder programs. The Homeland Security and Governmental Affairs Committee has also endorsed legislation to create a new dedicated grant program to help first responders obtain interoperable communications equipment. This vital need—so painfully apparent on 9/11 and again during Katrina and its aftermath—alone is estimated to cost billions of dollars. Currently, first responders must purchase interoperable communications systems with these general homeland security grants, making the pending cuts all the more distressing.

I recognize that appropriators struggled with constraints imposed by the administration's budget and had to make difficult choices between many important homeland security needs. I appreciate that conferees fought to include dedicated money for rail, transit and port security grants, as well as for the Coast Guard's Deepwater program. But I reject the premise that we must accept this as the best we can do for our first responders. It is not the best we can do. It must not be the best we can do. We know that the threats—natural or manmade—are real, and that we are not yet ready to meet them. Katrina has just underscored that lesson. Two years ago, a distinguished task force chaired by our former colleague Warren Rudman told us that our first responders were “drastically underfunded, dangerously unprepared” and that we would need close to \$100 billion over 5 years to meet critical preparedness and response needs. Yet in the time since, we have only whittled away at these critical programs rather than strengthening them. As I have said before, we have the best military in the world because we are willing to pay for it. We should not do less for our defenses here at home.

I wish to go on record opposing this conference report because I believe we must find a way to do more for our first responders and the communities they serve.

Ms. COLLINS. Mr. President, I rise today in opposition to the fiscal year 2006 Homeland Security appropriations bill. I oppose this conference report for three main reasons. First, the funding levels for first responder grants has been slashed to the lowest levels in the post-9/11 era despite the evident need for resources. Second, the bill adopts a formula for the distribution of first responder grants that is unpredictable, lacking in basic fiscal safeguards and will leave many parts of this country vulnerable. Third, this conference report underfunds mass transit security.

This conference report cuts the funding allocation for State and local first responder grants from \$1.1 billion enacted in fiscal year 2005 to only \$550 million for fiscal year 2006, an unacceptable and unwise reduction. Moreover, the level contained in the conference report is a full \$270 million less than the amount requested in the administration's budget request. Unfortunately, these reductions continue a downward trend. The overall amount of homeland security funding for first responders and state and local needs has declined by \$1.2 billion in just the past 2 years.

This is not the time to slash funding levels of these critical preparedness grants. These Draconian cuts are particularly remarkable given the recent failures in the response to Hurricane Katrina. That disaster clearly indicated that this Nation is not as prepared as it must be and that Federal, State, and local first responders and emergency managers are lacking crit-

ical equipment, especially communications gear and training resources. This is not the time to be cutting the resources available for these vital preparedness programs.

The second reason I voted against the conference report was because it adopts a formula to distribute these funds that is unbalanced, unpredictable and lacks accountability measures that are needed to ensure funds are spent wisely. Indeed, this conference report underscores the need for the bill Senator LIEBERMAN and I have developed, and the Senate overwhelmingly endorsed, to ensure a stable level of funding for all States. The approach taken in our bill would establish a formula that provides a predictable level of funding—scaled to reflect the different needs of states—that will allow all States to achieve essential preparedness and prevention capabilities.

We don't know where the next terrorist attack will take place. There is no way to predict where the next hurricane, tornado, or outbreak of pandemic influenza will occur. Therefore, we must raise the preparedness of all States to a minimum level of preparedness.

Unfortunately, the approach taken by the conference report does not provide an adequate base level to help States and localities establish minimum levels of preparedness. Nor does it recognize, as our bill does, that some States, because of larger or more dense populations, need more funding than others to establish essential preparedness capabilities.

Additionally, under the ad hoc approach taken in this conference report, States cannot count on a predictable stream of funding, which makes it impossible to implement the long-range plans the DHS requires of them. We need a fair formula, in statute, that does not jump from year to year as is currently the case.

Additionally, accountability measures—like independent audits, robust reporting requirements, and tying spending to standards—are simply not in place. We need to adopt authorizing legislation to ensure this funding is being properly spent.

It is disappointing that the appropriators largely adopted the House position on how to distribute this funding. This is particularly the case given that the bill Senator LIEBERMAN and I put together received the support of more than 70 Senators just this past July.

Finally, this conference report is flawed because it shortchanges vulnerable areas, in particular, transit security. The Committee on Homeland Security and Governmental Affairs recently held hearings on this important topic which revealed vulnerabilities in our transit systems. The attacks in Madrid and London demonstrate that terrorists are willing and able to attack transit systems; it is unconscionable that we are not doing more to secure our domestic transit systems.

Our Nation must make more progress in improving its ability to respond to

catastrophic disasters, whether natural or from a terrorist attack. Congress owes it to our constituents and to our first responders to be more thoughtful in how we provide the resources necessary to improve our ability to detect, and respond to threats facing our Nation.

Mr. REED. Mr. President, today the Senate passed the Department of Homeland Security appropriations bill conference report. The bill provides \$30.8 billion in discretionary spending for the Department of Homeland Security. While it is important that the Senate acted to pass this legislation, I am concerned about the funding levels provided for critical programs in this conference report. Specifically, the bill cuts funding for vital first-responders grants, and fails to improve our Nation's transit and aviation security.

I fear that we have failed to learn from the terrorist attacks in Madrid and London about the vulnerability of our transit system. Yesterday's terrorist threat against the New York City transit system further illustrates the need to increase our efforts in this area. Yet the conference report that we passed today includes only \$150 million for transit security grants. In June, Senators SHELBY and SARBANES and I sponsored an amendment to raise funding for transit security to more than \$1 billion. Unfortunately, the amendment failed. But it is this level of funding, not \$150 million, that is necessary to keep the Nation safe.

Every workday, 14 million Americans take a train or a bus. We know that transit systems and their riders are by their very nature prime terrorist targets. Subways, light rail, buses, and ferries are designed for easy access and to move large numbers of people efficiently.

These are the facts: Numerous attacks on transit; 6,000 transit systems in the U.S.; and 14 million riders every workday. I don't think anyone can say transit is not a target for terrorists and should not be among our highest homeland security priorities. Yet the Federal Government's response to these facts has been underwhelming. Indeed, the Federal Government has invested \$9 in aviation security improvements per passenger, but only \$0.006 in public transportation security per passenger. Now, are aviation and transit the same and can we achieve the same level of security in the open access environment of transit? No, but I doubt that the 14 million Americans who use transit every workday think that less than one cent is the appropriate amount to invest in transit security.

Second, I am concerned about the cuts that the bill provides to aviation screening. The bill would cut funding for the aviation security screener workforce by \$125 million from the budget request. This cut will result in 2,000 fewer airport screeners nationwide, including cuts in the number of screeners in Rhode Island. Rather than cutting the number of screeners, we

need to increase the nationwide number to 53,000 screeners in order to keep wait times at the current average of about 10 minutes. Yesterday, President Bush in an attempt to rally public support for the war in Iraq stated that the Government disrupted 10 serious terrorist plots since September 11, 2001. Three of these plots involved hijacking airplanes for suicide attacks. Yet, today, the Republican Congress cut the number of screeners serving our airports.

Finally, the bill cuts funding for first-responder grants for States and local governments by about 17 percent, \$680 billion less than last year, and failed to include a formula to help ensure all states would receive adequate funding and protection.

This conference report does not do enough to protect Americans from terrorism threats or natural disasters. This is a continuation of the administration's, and the leadership of this Congress, pattern of failure to learn from past lessons and invest in the essential infrastructure necessary to make our country safe. Is this the type of belt-tightening the administration is willing to accept in order to continue to pay for irresponsible tax cuts?

Mr. PRYOR. Mr. President. I rise today to express my displeasure with the Homeland Security appropriations conference report. More specifically, the conferees' neglect of formula based funding for State's first responders could produce dire results for small rural States such as Arkansas.

The conferees' decision to cut this funding, by more than half, will make it harder for smaller States to prevent, and more importantly, respond to emergency situations either manmade or natural. The events of the last 2 months alone go to show that first responders need to be prepared regardless of where they are located geographically.

The conferees' decision to cut first responder funding is even more frustrating seeing that the U.S. Senate a few months ago overwhelmingly passed a Homeland Security appropriations bill that went to great lengths to maintain a minimum base of first responder funding for all States. The formula which was created by Senators SUSAN COLLINS and JOSEPH LIEBERMAN was fair and would have provided stability to our Homeland Security appropriations process. I commend these Senators for their hard work and regret that their formula was ignored by conferees.

The conferees' actions will not only do great disservice to small States' first responders this year, but they have guaranteed that we will yet again spend precious time next year working out a funding formula to allocate Homeland Security grant money. There are many other issues that we must tackle but an inability to reach an understanding on this important issue will keep us stuck in the mud and that, Mr. President, is a disservice to all States.

The PRESIDING OFFICER. Does any other Member seek recognition?

The Senator from Wyoming.

Mr. ENZI. Mr. President, I yield back time on our side.

The PRESIDING OFFICER. All time having been yielded, the question is on agreeing to the conference report.

The conference report was agreed to.

The PRESIDING OFFICER. The Senator from Wyoming.

#### MORNING BUSINESS

Mr. ENZI. Mr. President, I ask unanimous consent that there be a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. CLINTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RELIEF FOR THE GULF COAST

Mrs. CLINTON. Mr. President, there has been a lot of activity on the floor over the last 24 hours. It has been focused on how best to help the people along the gulf coast who have been devastated by twin natural disasters, Katrina and Rita. There has been an ongoing debate that took up the night here in trying to determine how best to provide the funding that the cities and parishes in Louisiana and in Mississippi and Alabama and Texas need in order to begin to deal with their pressing, urgent needs.

I rise because I well remember the feelings that I had on this floor in the aftermath of the attacks we suffered on September 11, 2001. It was an uncertain and tragic time in our country. We were attacked and we lost nearly 3,000 people. Eighteen acres were destroyed in the heart of the financial capital of the world. Hundreds of thousands of people lost their jobs. Businesses were shuttered, and there was great doubt as to how we were going to obtain the resources to begin the recovery process.

I am grateful that in New York's hour of need, we had strong support in this Chamber. I am looking at my dear friend, the senior Senator from West Virginia, who came to our aid immediately. In fact, he said he would be the third Senator from New York.

Mr. BYRD. Yes.

Mrs. CLINTON. I have never forgotten that. I am so grateful because he helped to shepherd through the Congress the money that New York needed immediately to meet its needs.

I am someone who believes that in a time of natural or manmade disaster, Americans rally around each other. We